

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY SOFIA PRIORITY

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EO 11652: NA

TAGS: CGEN, PFOR, BU

SUBJECT: CONSULAR CONVENTION

REFS: (A) SOFIA 277; (B) SOFIA 342

1. DEPARTMENT SUBMITS FOLLOWING ON GOB'S LATEST
COMMENTS ON DRAFT CONSULAR CONVENTION (OUTLINED PARA 1,
REF A):

A. DEPARTMENT UNSURE WHETHER PROPOSED SUBSTITUTION OF
BULGARIAN WORD "ZAKLUCHENIYA" (TRANSLATED INTO ENGLISH AS
"OPINION) FOR ENGLISH WORD "EVIDENCE" RELATES TO SENTENCE
1 OR SENTENCE 2, PARA 3, OR BOTH. IF BULGARIAN PROPOSAL
IS TO SUBSTITUTE OPINION FOR EVIDENCE IN SENTENCE 2,
DEPARTMENT SEES NO OBJECTION. IT WOULD NOT APPEAR LOGICAL
HOWEVER TO SUBSTITUTE "OPINION" FOR "EVIDENCE" IN
SENTENCE 1 OF THIS PARA OR IN OTHER PLACES IN ARTICLE 18
IN WHICH WORD EVIDENCE IS PROPERLY EMPLOYED.

B. DEPARTMENT DOES NOT UNDERSTAND NEED FOR CHANGING
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"REQUESTING" TO "TAKING" IN SENTENCE 1, PARA 4, ARTICLE

18, WHILE THERE IS NO SUBSTANTIVE OBJECTION TO THIS CHANGE AND WHILE IN FACT "TAKING" IS APPROPRIATE WORD IN RELATION TO THE PROCEDURE DESCRIBED THIS PARAGRAPH, WORD "REQUESTING" IN PARA 4 RELATES TO "MAY REQUEST" IN PARA 1 WHICH SHOULD NOT BE CHANGED.

(C) DEPARTMENT CONFIRMS THAT ANTECEDENT OF "ITS" IN ARTICLE 21, PARA 3, IS "SENDING STATE" AND NOT "PERSON."

D. RE USE OF WORD "EFFECTIVE" IN ENGLISH TEXT OF ARTICLE 26, DEPARTMENT APPROVES ITS RETENTION ALTHOUGH CORRESPONDING BULGARIAN TERM CHANGED AS DESCRIBED REF (A).

2. EMBASSY REQUESTED TO FURNISH ABOVE COMMENTS TO GOB. WHILE MATTERS APPEAR MINOR, DEPARTMENT SEES NO NEED TO MAKE THOSE CHANGES DESCRIBED PARA 1, SUBPARAS A AND B REFTEL (A), IN ABSENCE ADDITIONAL JUSTIFICATION.

3. RE MATTER RAISED PARA 3, REF (B), US WOULD BE PREPARED TO AUTHORIZE EMBASSY TYPE ENGLISH TEXTS OF CONVENTION IF GOB GIVES FURTHER NEGATIVE RESPONSE ON GOB CAPABILITY PERFORM ENTIRE TASK. IN THIS CONNECTION, EMBASSY REQUESTED TO ASCERTAIN TYPE AND QUALITY OF PAPER USED BY THE GOB IN PREPARATION OF TREATY TEXTS. IF IN FACT PAPER IS OF INFERIOR QUALITY AND COULD NOT EASILY BE USED BY EMBASSY IN TYPING ENGLISH TEXTS, THEN DEPARTMENT WILL ENDEAVOR TO SUPPLY NECESSARY QUANTITY OF US PAPER. EMBASSY SHOULD ALSO ASCERTAIN TYPE AND SIZE OF BINDERS USED BY THE GOB. POSSIBILITY EXISTS THAT IF US PAPER MUST BE USED, IT CAN BE AFFIXED IN GOB BINDERS. US DOES NOT OBJECT TO USE OF FOREIGN BINDERS FOR US COPIES OF TREATY AND IN FACT THIS PRACTICE IS CUSTOMARY. SEAL OF BULGARIA ON BINDERS FOR US COPY WOULD ALSO NOT BE OBJECTIONAL. AS INDICATED PREVIOUS MESSAGE, DEPARTMENT WILL BE PREPARED TO FURNISH ASSISTANCE AS NECESSARY FOR PREPARATION OF FINAL TREATY, INCLUDING SUPPLY OF NECESSARY MATERIALS.

4. IN VIEW OF THE SHORT TIME INVOLVED, IT IS IMPOR-
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TANT FOR EMBASSY TO NOTIFY DEPARTMENT OF SPECIFIC NEEDS RESPECTING TREATY PREPARATION AND PROJECTED CAPABILITY TO COMPLETE REQUIRED WORK. RE PARA 4, REF (B), DEPARTMENT ASSUMES KARASLAVOV BELIEVES FINAL LANGUAGE COMPARISON MAY YIELD ISSUES ON WHICH MR. SHAMWELL'S PRESENCE IN SOFIA REQUIRED. IF IN EMBASSY'S OPINION IT IS LIKELY THAT ADDITIONAL QUESTIONS SUCH AS THOSE POSED PARA 1, REF (A), WILL BE RAISED DURING FINAL DAYS PRECEDING

SIGNATURE OF CONVENTION, THEN DEPARTMENT WILL ENDEAVOR
TO SUPPLY MR. SHAMWELL'S SERVICES. EXPERIENCE IN THE
PAST IN SIGNING CONVENTIONS WITH EASTERN EUROPEAN COUNT-
RIES (E.G., CZECHOSLOVAKIA, ROMANIA) IS THAT FINAL
LANGUAGE COMPARISONS MAY REVEAL NEW OR OVERLOOKED SUB-
STANTIVE POINTS. THEREFORE VERY IMPORTANT FOR EMBASSY
TO ATTEMPT TO DETERMINE WHETHER SUCH POSSIBILITY EXISTS

IN THIS CASE. KISSINGER

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